

### REMARKS

Claims 1-36 are currently pending in the present application, with Claims 1, 7, 13, 16, 19-27, 30, and 33-36 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-36 under 35 U.S.C. § 102(e) as being met by Toriumi (U.S. Patent No. 6,062,868). This rejection is respectfully traversed.

As discussed in the previous communication, the present invention is directed an apparatus and method for converting and delivering musical content information between a client terminal and a server terminal. In one aspect of the invention, the musical content information, such as MIDI data, is received from the client terminal and then converted by the server terminal and delivered back to the client terminal. The server converts the musical content information by imparting additional value to the musical content information. In another aspect of the present invention, the server terminal creates and re-transmits musical information on the basis of the parameter information transmitted from the client terminal.

Toriumi, on the other hand, is directed to a karaoke transmitting system that reads out music data and background video data from a server in response to a request signal received from terminal 40, and then creates karaoke data on the basis of the read-out music data and background video data. However, Toriumi simply does not contain any disclosure of converting any information received from a client terminal into other information by imparting an additional value to the received information (as claimed in the amended Claims 1-26). Furthermore, Toriumi does not teach or suggest creating and transmitting musical information on the basis of parameters provided by a client terminal (as recited in the amended Claims 27-36). Rather, Toriumi simply shows a music piece or the like produced by new melody producing section 1, but not on the basis of any parameters received. Accordingly, Applicants respectfully submit that Claims 1-36 are not anticipated by, nor obvious in view of, Toriumi.

The Examiner rejected Claims 1-36 under 35 U.S.C. § 102(b) as being met by Sone et al. (U.S. Patent No. 5,929,359). This rejection is respectfully traversed.

Sone discloses a karaoke apparatus that downloads song data from a karaoke song distribution center over an ISDN line and thereby executes a performance of the downloaded song data. Sone does not contain any disclosure or suggestion of converting any information received from a client terminal by imparting additional value to the received information, and transmitting such converted information back to the client terminal (as recited in the amended Claims 1-26). Furthermore, Sone simply does not mention or suggest any musical composition function whatsoever, including composing music data based on parameter information received from a client terminal (as recited in the amended Claims 27-36). Accordingly, Applicants respectfully submit that Claims 1-36 are not anticipated by, nor obvious in view of, Sone.

The Examiner rejected Claims 1-36 under 35 U.S.C. § 102(e) as being met by Song (U.S. Patent No. 6,267,600). This rejection is respectfully traversed.

Song discloses an automatic accompaniment system comprising microphone 100 and receiver 200. In the microphone 100, a song signal input via microphone section 146 is synthesized with an accompaniment melody signal having been subjected to a synthesis process by accompaniment-melody synthesizing means 142. The synthesized result is then converted into a digital signal and either stored in memory 152 or outputted via antenna 180 to receiver 200. Song also discloses the receiver 200 as receiving image control data from the microphone 100 to thereby visually display a background picture and accompanying lyrics. However, Song does not contain any disclosure or suggestion of converting the data received from a client terminal and sending it back to a client terminal (in this case, the analogous client terminal could be the microphone 100; again, nothing is sent back to the microphone 100), as recited in the amended Claims 1-26.

Furthermore, Song does not teach or suggest using parameter information received from a client terminal to compose musical composition and sending that musical composition back to the client terminal, as recited in the amended Claims 27-36. Accordingly, Applicants respectfully submit that Claims 1-36 are not anticipated by, nor obvious in view of, Song.

The Examiner rejected Claims 1-36 under 35 U.S.C. § 102(e) as being met by Kurakake (U.S. Patent No. 6,211,453). This rejection is respectfully traversed with respect to the amended claims.

Kurakake is directed to an apparatus that creates accompaniment performance information by randomly selecting accompaniment patterns and connecting together the selected accompaniment patterns. While Kurakake discloses that song data and programs to be used for performance information creation are downloaded via a communication network, such as the Internet (see Col. 10, lines 54-60), Kurakake simply does not contain any disclosure or suggestion of converting performance information received from a client terminal and sending the converted information back to the client terminal (as recited in amended Claims 1-26). Furthermore, Kurakake does not teach or suggest receiving parameter information from a client terminal, composing music based on the received parameter information, and transmitting the composed music data back to the client terminal (as recited in amended Claims 27-36). Accordingly, Applicants respectfully submit that amended Claims 1-36 are not anticipated by, nor obvious in view of, Kurakake.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Reconsideration and reexamination of the claims are respectfully requested, and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

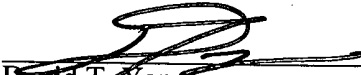
In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032025300.

Respectfully submitted,

Dated: December 20, 2002

By:

  
David T. Yang  
Registration No. 44,415

Morrison & Foerster LLP  
555 West Fifth Street  
Suite 3500  
Los Angeles, California 90013-1024  
Telephone: (213) 892-5587  
Facsimile: (213) 892-5454



VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1, 7, 13, 16, 19-27, 30, and 33-36 have been amended in the following manner:

1. (Twice amended) A client terminal apparatus for generating content, comprising:

an input device adapted to input melody information representing a melody to said client terminal apparatus;

a transmitter coupled with said input device and adapted to transmit the melody information, inputted via said input device, to a server; and

a receiver adapted to receive, [content information] from the server, [the] content information [being] created by the server converting the melody information, transmitted via said transmitter, by imparting an additional value to the melody information [transmitted via said transmitter to the server].

7. (Amended) A server apparatus for generating content, comprising:

a receiver adapted to receive melody information representing a melody from a client terminal;

a processor device coupled with said receiver and adapted to create content information converting the melody information by imparting an additional value to the melody information received via said receiver; and

a delivery device coupled with said processor device and adapted to deliver, to the client terminal, the content information created by said processor device.

13. (Amended) A client terminal apparatus for generating content, comprising:  
an input device adapted to input musical material information to said client terminal apparatus, the musical material information being representative of a musical material, other than a melody, of a music piece;  
a transmitter coupled with said input device and adapted to transmit the musical material information, inputted via said input device, to a server; and  
a receiver adapted to receive, from the server, content information created by the server converting the musical material information, transmitted via said transmitter, by imparting an additional value to the musical material information [melody transmitted via said transmitter to the server].

16. (Amended) A server apparatus for generating content, comprising:  
a receiver adapted to receive musical material information from a client terminal, the musical material information being representative of a musical material, other than a melody, of a music piece;  
a processor device coupled with said receiver and adapted to create content information converting the musical material information by imparting an additional value to the musical material information received via said receiver; and  
a delivery device coupled with said processor device and adapted to deliver, to the client terminal, the content information created by said processor device.

19. (Twice amended) A method for generating content, comprising:  
a step of inputting melody information, said melody information representing a melody;  
a step of transmitting the melody information, inputted via said step of inputting, to a server; and  
a step of receiving, from the server, content information created by the server converting the transmitted melody information by imparting an additional value to the melody information transmitted via said step of transmitting to the server.

20. (Amended) A method for generating content, comprising:  
a step of receiving melody information representing a melody from a client terminal;  
a step of creating content information converting the melody information by imparting an additional value to the melody information received via said step of receiving; and  
a step of delivering, to the client terminal, the content information created by said step of creating.

21. (Amended) A method for generating content, comprising:  
a step of inputting musical material information, the musical material information being representative of a musical material, other than a melody, of a music piece;  
a step of transmitting the musical material information, inputted via said step of inputting, to a server; and  
a step of receiving, from the server, content information created by the server converting the transmitted musical material information by imparting an additional value to the musical material information [melody transmitted via said step of transmitting to the server].

22. (Amended) A method for generating content, comprising:

a step of receiving musical material information from a client terminal, the musical material information being representative of a musical material, other than a melody, of a music piece;

a step of creating content information converting the musical material information by imparting an additional value to the musical material information received via said step of receiving; and

a step of delivering, to the client terminal, the content information created by said step of creating.

23. (Twice amended) A program containing a group of instructions to cause a computer of a client terminal to perform a method for generating content, said method comprising:

a step of inputting melody information, said melody information representing a melody;

a step of transmitting the melody information, inputted via said step of inputting, to a server; and

a step of receiving, from the server, content information created by the server converting the transmitted melody information by imparting an additional value to the melody information transmitted via said step of transmitting to the server.



24. (Amended) A program containing a group of instructions to cause a computer of a server to perform a method for generating content, said method comprising:

a step of receiving melody information representing a melody from a client terminal;

a step of creating content information converting the melody information by imparting an additional value to the melody information received via said step of receiving; and

a step of delivering, to the client terminal, the content information created by said step of creating.

25. (Amended) A program containing a group of instructions to cause a computer of a client terminal to perform a method for generating content, said method comprising:

a step of inputting musical material information, the musical material information being representative of a musical material, other than a melody, of a music piece;

a step of transmitting the musical material information, inputted via said step of inputting, to a server; and

a step of receiving, from the server, content information created by the server converting the transmitted musical material information by imparting an additional value to the musical material information [melody transmitted via said step of transmitting to the server].

26. (Amended) A program containing a group of instructions to cause a computer of a server to perform a method for generating content, said method comprising:

a step of receiving musical material information from a client terminal, the musical material information being representative of a musical material, other than a melody, of a music piece;

a step of creating content information converting the musical material information by imparting an additional value to the musical material information received via said step of receiving; and

a step of delivering, to the client terminal, the content information created by said step of creating.

27. (Amended) A client terminal apparatus for generating content, comprising:

an input device adapted to input parameter information to said client terminal apparatus;

a transmitter coupled with said input device and adapted to transmit the parameter information, inputted via said input device, to a server; and

a receiver adapted to receive, from the server, musical content information representing a music piece composed [created] on the basis of the parameter information transmitted via said transmitter to the server.

30. (Amended) A server apparatus for generating content, comprising:  
a receiver adapted to receive parameter information from a client terminal;  
a processor device coupled with said receiver and adapted to create musical content information representing a music piece composed on the basis of parameter information received via said receiver; and  
a delivery device coupled with said processor device and adapted to deliver, to the client terminal, the musical content information created by said processor device.

33. (Amended) A method for generating content, comprising:  
a step of inputting parameter information;  
a step of transmitting the parameter information, inputted via said step of inputting, to a server; and  
a step of receiving, from the server, musical content information [created] representing a music piece composed on the basis of the parameter information transmitted via said step of transmitting to the server.

34. (Amended) A method for generating content, comprising:  
a step of receiving parameter information from a client terminal;  
a step of creating musical content information representing a music piece composed on the basis of parameter information received via said step of receiving; and  
a step of delivering, to the client terminal, the musical content information created by said step of creating.

35. (Amended) A program containing a group of instructions to cause a computer of a client terminal to perform a method for generating content, comprising:

a step of inputting parameter information;

a step of transmitting the parameter information, inputted via said step of inputting, to a server; and

a step of receiving, from the server, musical content information [created] representing a music piece composed on the basis of the parameter information transmitted via said step of transmitting to the server.

36. (Amended) A program containing a group of instructions to cause a computer of a server to perform a method for generating content, comprising:

a step of receiving parameter information from a client terminal;

a step of creating musical content information representing a music piece composed on the basis of parameter information received via said step of receiving; and

a step of delivering, to the client terminal, the musical content information created by said step of creating.